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PROGRAM POLICY LETTER NO. P16-III-01

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Metal and Nonmetal Mine Safety and Health

SUBJECT: Clarification of MSHA Policy and Regulations Related to Part 46
Records of Training

Scope

This Program Policy Letter (PPL) is for Mine Safety and Health Administration (MSHA) personnel, shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate and surface limestone mine operators, independent contractors, miners and miners' representatives engaged or employed at such mines, and other interested parties.

Purpose

This PPL provides guidance about the information that must be provided in the record of miner training required under Title 30 of the Code of Federal Regulations (30 CFR), Part 46, Training and Retraining of Miners Engaged in Shell Dredging or Employed at Sand, Gravel, Surface Stone, Surface Clay, Colloidal Phosphate, or Surface Limestone Mines.

Information

Title 30 CFR Part 46, Records of training, requires that operators record and certify the training that miners receive. MSHA Form 5000-23, or another form, may be used to record and certify the training. The record of training must include:

- The printed full name of the person trained;
- The type of training;
- The duration of the training;
- The date the training was received;
- The name of the competent person who provided the training;
- The name of the mine or independent contractor, MSHA mine identification number or independent contractor identification number (if applicable), and location of training (if an institution, the name and address of the institution);
- The statement, "False certification is punishable under Sections 110(a) and (f) of the Federal Mine Safety and Health Act," printed in bold letters and in a conspicuous manner; and

- A statement signed by the person designated in the MSHA-approved training plan for the mine as responsible for health and safety training that states: “I certify that the above training has been completed.”

Training records must be certified:

- Upon completion of new miner training;
- Upon completion of newly-hired experienced miner training;
- Upon completion of the 8 hours of annual refresher training;
- At least once every 12 months for new task training or upon request by the miners; and
- Upon completion of site-specific hazard awareness training for miners.

Background

Due to recent questions regarding information MSHA requires to be on the miner’s record of training, MSHA is providing guidance and clarification about requirements under 30 CFR §46.9 and in the MSHA Program Policy Manual Vol. III.

MSHA’s authority for this PPL

The Federal Mine Safety and Health Act of 1977, as amended; 30 U.S.C. § 801 et seq.; 30 CFR §46.9.

Internet Availability

The PPL may be viewed on the internet by accessing MSHA’s home page at <http://www.msha.gov>, and then choosing “Regulations”, “Policy and Procedures”, and “Program Policy Letters.”

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Distribution

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